

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CJ Bettis,

Case No. 22-cv-2283 (MJD/DJF)

Plaintiff,

v.

**ORDER ON PETITIONER'S MOTION TO
EXPAND THE RECORD**

Warden, *FCI Sandstone*,

Defendant.

This matter is before the Court on Petitioner CJ Bettis's Motion to Expand the Record (ECF No. 13). Though Petitioner's motion is styled as a motion to expand the record, Petitioner largely argues that the Court: (1) should take judicial notice of certain facts due to the Government's alleged failure to contest to certain allegations in his petition; and (2) should admit into the record several exhibits both Petitioner and the Government already submitted into the record. (*See* ECF No. 13 at 10.)

The Court defers any factual findings until it issues its Report and Recommendation on the Petition for writ of habeas corpus (ECF No. 1). To the extent Petitioner asks the Court to expand the record to include documents previously filed by the parties in this case, the motion is denied as moot because those documents are already in the record. To the extent Petitioner asks the Court to conduct an evidentiary hearing on his habeas petition, the motion is denied. The Court will issue a report and recommendation based on the parties' written submissions.

In light of Petitioner's Reply and Traverse (ECF No. 14) in support of his Petition, the record with respect to the Petition is now complete and no further briefing will be allowed. Based on the foregoing, Petitioner's Motion to Expand the Record (ECF No. [13]) is **DENIED**.

SO ORDERED.

Dated: February 8, 2023

s/ Dulce J. Foster

Dulce J. Foster

United States Magistrate Judge